

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIALEONARD JAMES FOX,
Plaintiff,

v.

T. URIBE, et al.,
Defendants.

Case No. 18-07221 BLF (PR)

**ORDER DENYING REQUEST FOR
“NOTICE OF APPEAL” AS
PREMATURE**

(Docket No. 52)

Plaintiff, a California inmate, filed the instant *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against medical personnel at Salinas Valley State Prison (“SVSP”). On October 27, 2021, the Court granted Defendants’ motion for summary judgment and dismissed all claims against them; judgment was entered the same day. Dkt. Nos. 38, 39. Subsequently, the Court granted Plaintiff’s motion for reconsideration, reopened the matter, and set a briefing schedule; Plaintiff was granted fifty-six days from the date of the order to file an opposition. Dkt. No. 49. On December 27, 2021, Plaintiff filed opposition, and Defendants filed a reply on January 10, 2022. Dkt. Nos. 50, 51. Accordingly, the matter is submitted and will be decided in due course.

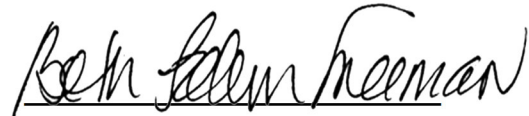
As such, Plaintiff’s “Motion request for ‘notice of appeal’ and demand for ‘jury trial’ is DENIED as premature. Dkt. No. 52. Plaintiff may appeal the matter if he does not

1 prevail against Defendants' summary judgment motion.

2 This order terminates Docket No. 52.

3 **IT IS SO ORDERED.**

4 **Dated: _February 8, 2022_**



BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California

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